

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GARY RICHARDSON,)	
)	
Plaintiff,)	
)	Civil Action No. 10-275 Erie
v.)	
)	
CRAWFORD COUNTY)	
CORRECTIONAL FACILITY, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on November 18, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

After de novo review of the documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 26th day of January, 2012;

IT IS HEREBY ORDERED that the Report and Recommendation is adopted as the opinion of the Court with one exception. The Motion to Dismiss [ECF No. 14] with respect to Count II is DENIED and the Plaintiff is hereby granted ten (10) days within which to file an Amended Complaint as to Count II.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge